

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

IN RE: BROILER CHICKEN GROWER
ANTITRUST LITIGATION (NO. II)

MDL No. 6:20-2977-RJS-CMR

Hon. Chief Judge Robert J. Shelby

Hon. Cecilia M. Romero

**DECLARATION OF STEPHANIE J. FIERECK, ESQ. ON IMPLEMENTATION OF
CAFA NOTICE**

I, STEPHANIE J. FIERECK, ESQ., hereby declare and state as follows:

1. My name is Stephanie J. Fiereck, Esq. I am over the age of 21 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am the Legal Notice Manager for Epiq Class Action & Claims Solutions, Inc. (“Epiq”), a firm that specializes in designing, developing, analyzing and implementing large-scale, unbiased, legal notification plans.

3. Epiq is a firm with more than 20 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service, claims database management, claim adjudication, funds management and distribution services.

4. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

5. At the direction of counsel for the Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”), the following 58 officials were

identified to receive the CAFA notice: the Attorney General of the United States, the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories, and the U.S. Department of Agriculture.

6. Prior to mailing, the names and addresses of the 58 officials were verified, then run through the Coding Accuracy Support System (“CASS”) maintained by the United States Postal Service (“USPS”).¹

7. On August 5, 2021, Epiq sent 58 CAFA Notice Packages (“Notice”). The Notice was mailed via USPS certified mail to 56 officials, including the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories. The Notice was also sent via United Parcel Service (“UPS”) to the Attorney General of the United States and the US Department of Agriculture. The CAFA Notice Service List (USPS Certified Mail and UPS) is included hereto as **Attachment 1**.

8. The materials sent to the 58 officials included a cover letter, which provided notice of the proposed settlement of the above-captioned case. The cover letter is included hereto as **Attachment 2**.

9. The cover letter was accompanied by a CD, which included the following:

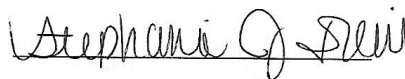
- Copies of the following complaints:
 - Plaintiffs Haff Poultry, Inc., Craig Watts, Johnny Upchurch, Jonathan Walters, and Brad Carr’s original Class Action Complaint, dated January 27, 2017;
 - Plaintiffs Triple R Ranch, LLC, Myles B. Weaver, Melissa Weaver, Jonathan Buttram, Paul Brown, Matt Purlee, Jeremy Souder, Vince Edwards, and William Beatty’s original Class Action Complaint, dated March 27, 2017;
 - Plaintiffs Triple R Ranch, LLC, Myles B. Weaver, Melissa Weaver, Jonathan Buttram, Paul Brown, Matt Purlee, Jeremy Souder, Vince Edwards,

¹ CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

and William Beatty's corrected Class Action Complaint, dated May 16, 2017;

- Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, and Melissa Weaver's Consolidated Amended Class Action Complaint, dated July 10, 2017;
 - Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, and Melissa Weaver's Second Consolidated Amended Class Action Complaint, dated February 21, 2020;
 - Plaintiffs Marc McEntire and Karen McEntire's original Antitrust Class Action Complaint, dated September 11, 2020;
 - Plaintiff Henry Randall Colvin's original Class Action Complaint, dated September 18, 2020;
 - Plaintiffs Anna Mason, Barry Mason, Mitchell Mason, and Jonathan Tipton's original Class Action Complaint, dated October 8, 2020; and
 - Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, Melissa Weaver, Marc McEntire, Karen McEntire, and Mitchell Mason's Consolidated Class Action Complaint, dated February 19, 2021.
- Plaintiffs' July 30, 2021 Motion and Memorandum of Law in Support of Motion for Preliminary Approval of Settlement with Tyson Defendants and for Certification of the Settlement Class, accompanied by all supporting documents and exhibits, including the Settlement Agreement between Plaintiffs and Tyson.²

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 5, 2021.



Stephanie J. Fiereck, Esq.

² Identical copies of these materials have been filed on the following dockets: *Haff Poultry, Inc. et al. v. Tyson Foods, Inc. et al.*, Case No. 6:17-cv-00033-RJS-CMR (E.D. Okla.), Dkt. No. 415; *In re: Sanderson and Koch Broiler Chicken Grower Litigation*, Case No. 6:20-cv-00478-RJS-CMR (E.D. Okla.), Dkt. No. 131; *Colvin v. Tyson Foods, Inc. et al.*, Case No. 6:20-cv-00480-RJS-CMR (E.D. Okla.), Dkt. No. 117; *McEntire et al. v. Tyson Foods, Inc. et al.*, Case No. 6:20-cv-00479-RJS-CMR (E.D. Okla.), Dkt. No. 114; *Mason et al. v. Tyson Foods, Inc. et al.*, Case No. 6:21-cv-00033-RJS-CMR (E.D. Okla.), Dkt. No. 69

Attachment 1

CAFA Notice Service List

USPS Certified Mail

Company	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Treg Taylor	PO Box 110300		Juneau	AK	99811
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36130
Office of the Attorney General	Leslie Carol Rutledge	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Mark Brnovich	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Law Section	455 Golden Gate Ave Ste 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L. Carr Colorado Judicial Center	1300 Broadway 10th Fl	Denver	CO	80203
Office of the Attorney General	William Tong	165 Capitol Ave		Hartford	CT	06106
Office of the Attorney General	Karl A. Racine	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Office Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Clare E. Connors	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Thomas J Miller	1305 E Walnut St		Des Moines	IA	50319
Office of the Attorney General	Lawrence G Wasden	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Indiana Attorney General's Office	Todd Rokita	Indiana Government Center South	302 W Washington St 5th Fl	Indianapolis	IN	46204
Office of the Attorney General	Derek Schmidt	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Daniel Cameron	700 Capitol Avenue	Suite 118	Frankfort	KY	40601
Office of the Attorney General	Jeff Landry	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Maura Healey	1 Ashburton Pl		Boston	MA	02108
Office of the Attorney General	Brian E. Frosh	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO Box 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St	Suite 1400	St Paul	MN	55101
Missouri Attorney General's Office	Eric Schmitt	207 West High Street	PO Box 899	Jefferson City	MO	65102
MS Attorney General's Office	Lynn Fitch	Walter Sillers Bldg	550 High St Ste 1200	Jackson	MS	39201
Office of the Attorney General	Austin Knudsen	Department of Justice	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Wayne Stenehjem	State Capitol	600 E Boulevard Ave Dept 125	Bismarck	ND	58505
Nebraska Attorney General	Doug Peterson	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Andrew J. Bruck	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Hector Balderas	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Aaron Ford	100 N Carson St		Carson City	NV	89701
Office of the Attorney General	Letitia James	The Capitol		Albany	NY	12224
Office of the Attorney General	Dave Yost	30 East Broad Street	14th Floor	Columbus	OH	43215
Office of the Attorney General	John O'Connor	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Josh Shapiro	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Jason Ravnsborg	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Herbert H. Slatery III	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	300 W 15th St		Austin	TX	78701
Office of the Attorney General	Sean D. Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Mark R. Herring	202 North Ninth Street		Richmond	VA	23219
Office of the Attorney General	TJ Donovan	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 Fifth Avenue	Suite 2000	Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrisey	State Capitol Complex	Bldg 1 Room E 26	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	2320 Capitol Avenue		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	Executive Office Building 3rd Floor	PO Box 7	Utulei	AS	96799
Attorney General Office of Guam	Leevin T Camacho	Administration Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Denise N. George	34-38 Kronprindsens Gade	GERS Bldg 2nd Fl	St Thomas	VI	00802

UPS

Company	FullName	Address1	Address2	City	State	Zip
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC	20530
US Department of Agriculture	Office of the General Counsel	Room 107 W Whitten Building	1400 Independence Ave SW	Washington	DC	20250

Attachment 2

NOTICE ADMINISTRATOR
HILSOFT NOTIFICATIONS
10300 SW Allen Blvd
Beaverton, OR 97005
P 503-350-5800
DL-CAFA@epiqglobal.com

August 5, 2021

VIA UPS OR USPS CERTIFIED MAIL

All Addressees Listed in Attachment A

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C § 1715
In re Broiler Chicken Grower Antitrust Litig. (No. II), No. 6:20-md-2977 (E.D. Okla.)

Dear Sir or Madam:

Pursuant to the “Class Action Fairness Act” (“CAFA”), 28 U.S.C. § 1715, please find enclosed information from Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”) to advise you of a proposed class action settlement between Tyson and Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles Weaver, Melissa Weaver, Marc McEntire, Karen McEntire, Mitchell Mason, Anna Mason, Barry Mason, Jonathan Tipton, and Henry Randall Colvin (collectively, “Plaintiffs”), on behalf of themselves and the proposed settlement class, in the above-referenced action.

Plaintiffs filed a motion with the United States District Court for the Eastern District of Oklahoma on July 30, 2021, requesting preliminary approval of the proposed settlement with Tyson. As of this date, the Court has not granted preliminary approval of the proposed settlement, nor has it scheduled a hearing for final approval of the settlement.

Tyson denies all allegations of wrongdoing in the above-referenced action and denies any liability whatsoever, but has decided to settle this action in order to eliminate the burden, expense, and uncertainties of further litigation. In compliance with 28 U.S.C. § 1715(b), the following documents referenced below are included on the CD that is enclosed with this letter:

- Copies of the following complaints:
 - Plaintiffs Haff Poultry, Inc., Craig Watts, Johnny Upchurch, Jonathan Walters, and Brad Carr’s original Class Action Complaint, dated January 27, 2017;
 - Plaintiffs Triple R Ranch, LLC, Myles B. Weaver, Melissa Weaver, Jonathan Buttram, Paul Brown, Matt Purlee, Jeremy Souder, Vince Edwards, and William Beatty’s original Class Action Complaint, dated March 27, 2017;
 - Plaintiffs Triple R Ranch, LLC, Myles B. Weaver, Melissa Weaver, Jonathan Buttram, Paul Brown, Matt Purlee, Jeremy Souder, Vince Edwards, and William Beatty’s corrected Class Action Complaint, dated May 16, 2017;

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- Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, and Melissa Weaver’s Consolidated Amended Class Action Complaint, dated July 10, 2017;
 - Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, and Melissa Weaver’s Second Consolidated Amended Class Action Complaint, dated February 21, 2020;
 - Plaintiffs Marc McEntire and Karen McEntire’s original Antitrust Class Action Complaint, dated September 11, 2020;
 - Plaintiff Henry Randall Colvin’s original Class Action Complaint, dated September 18, 2020;
 - Plaintiffs Anna Mason, Barry Mason, Mitchell Mason, and Jonathan Tipton’s original Class Action Complaint, dated October 8, 2020; and
 - Plaintiffs Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles B. Weaver, Melissa Weaver, Marc McEntire, Karen McEntire, and Mitchell Mason’s Consolidated Class Action Complaint, dated February 19, 2021.
- Plaintiffs’ July 30, 2021 Motion and Memorandum of Law in Support of Motion for Preliminary Approval of Settlement with Tyson Defendants and for Certification of the Settlement Class, accompanied by all supporting documents and exhibits, including the Settlement Agreement between Plaintiffs and Tyson.¹

As of the date of this correspondence, no other settlement or agreement has been entered into by the parties to the Settlement Agreement between Plaintiffs and Tyson, with the exception of a Confidential Supplement to Long-Form Settlement Agreement Between Plaintiffs and Tyson (“Confidential Supplement”) referenced in the Settlement Agreement and available to the court for *in camera* inspection. The Confidential Supplement contains certain confidential terms allowing rescission of the Settlement Agreement.

Plaintiffs have, in their Motion and Memorandum of Law in Support of Motion for Preliminary Approval of Settlement with Tyson Defendants and for Certification of the Settlement Class, moved under Rule 23(e) to determine whether the Court “will likely be able to: (i) approve the proposal under Rule 23(e)(2) and (ii) certify the class for purposes of judgment on the proposal,” such that “giving notice [to the Settlement Class] is justified.” At this time, Plaintiffs propose to bring a separate motion

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no later than August 20, 2021, to approve the form and manner of dissemination of notice to the members of the settlement class.

It is not feasible for Tyson to provide either “the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement” or “a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement.” Tyson’s best estimate is that class members could potentially reside in every state, the District of Columbia, and the U.S. territories, and that there are at least thousands of class members.

The proposed class is for the purposes of settlement only; no class has been certified by the court for the purposes of trial. At this time, there has been no final judgment or notice of dismissal, and there are no written judicial opinions relating to the matters detailed in this notice. No hearing on Plaintiffs’ motion for preliminary approval of the settlement has yet been scheduled. If you have questions about this notice, the settlement, or how to access and view the documents on the enclosed CD, please contact this office.

Very truly yours,

Notice Administrator

Enclosures

Company	FullName	Address1	Address2	City	State	Zip
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC	20530
US Department of Agriculture	Office of the General Counsel	Room 107 W Whitten Building	1400 Independence Ave SW	Washington	DC	20250
Office of the Attorney General	Treg Taylor	PO Box 110300		Juneau	AK	99811
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36130
Office of the Attorney General	Leslie Carol Rutledge	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Mark Brnovich	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Law Section	455 Golden Gate Ave Ste 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway 10th Fl	Denver	CO	80203
Office of the Attorney General	William Tong	165 Capitol Ave		Hartford	CT	06106
Office of the Attorney General	Karl A. Racine	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Office Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
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Department of the Attorney General	Clare E. Connors	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Thomas J Miller	1305 E Walnut St		Des Moines	IA	50319
Office of the Attorney General	Lawrence G Wasden	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Indiana Attorney General's Office	Todd Rokita	Indiana Government Center South	302 W Washington St 5th Fl	Indianapolis	IN	46204
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Office of the Attorney General	Jeff Landry	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Maura Healey	1 Ashburton Pl		Boston	MA	02108
Office of the Attorney General	Brian E. Frosh	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO Box 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St	Suite 1400	St Paul	MN	55101
Missouri Attorney General's Office	Eric Schmitt	207 West High Street	PO Box 899	Jefferson City	MO	65102
MS Attorney General's Office	Lynn Fitch	Walter Sillers Bldg	550 High St Ste 1200	Jackson	MS	39201
Office of the Attorney General	Austin Knudsen	Department of Justice	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Wayne Stenehjem	State Capitol	600 E Boulevard Ave Dept 125	Bismarck	ND	58505
Nebraska Attorney General	Doug Peterson	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Andrew J. Bruck	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Hector Balderas	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Aaron Ford	100 N Carson St		Carson City	NV	89701
Office of the Attorney General	Letitia James	The Capitol		Albany	NY	12224
Office of the Attorney General	Dave Yost	30 East Broad Street	14th Floor	Columbus	OH	43215
Office of the Attorney General	John O'Connor	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Josh Shapiro	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Jason Ravnsborg	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Herbert H. Slatery III	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	300 W 15th St		Austin	TX	78701
Office of the Attorney General	Sean D. Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Mark R. Herring	202 North Ninth Street		Richmond	VA	23219
Office of the Attorney General	TJ Donovan	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 Fifth Avenue	Suite 2000	Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrisey	State Capitol Complex	Bldg 1 Room E 26	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	2320 Capitol Avenue		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'iima-Utu	Executive Office Building 3rd Floor	PO Box 7	Utulei	AS	96799
Attorney General Office of Guam	Leevin T Camacho	Administration Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Denise N. George	34-38 Kronprindsens Gade	GERs Bldg 2nd Fl	St Thomas	VI	00802